IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY SIXTH DAY OF OCTOBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE Ms. JUSTICE G.ROHINI

WRIT PETITION No. 19356 of 2004

Between:

R. Andalamma W/o R. Satyanarayana
R/o 13-6-449/6, Saingar, Beyond, Gudimalkapur Market,
Mehidipatnam, Hyderabad

..... PETITIONER

AND

1 The Station House Officer, Tappachabutra P.S., Hyderabad
2 Kum Sarita W/o Sri Ramulu
Tappachabutra, P.S. Mehdipatnam, Hyderabad

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court will be pleased to issue any Writ or Writs more particularly one Mandamus declaring the 1st respondent's inaction in registering FIR against 2nd respondent under relevant section of IPC or any other law in force as arbitrary illegal, and violating of Art. 21 of the Constitution of India and consequently direct the 1st respondent to take immediate action against 2nd respondent by taking necessary steps in this regard including her apprehension and production before competent court as per law.

Counsel for the Petitioner : Mr.A.SRIGANESH

Counsel for Respondent No.1 : G.P. FOR HOME

Counsel for Respondent No.2 : None appeared

The Court at the stage of admission made the following :

ORDER:

The only grievance of the petitioner is that though she lodged a complaint with the Inspector of Police, Tappachabutra Police Station on 6.10.2004 complaining about the unlawful activities of Respondent No.2 and requested to take immediate action, the respondent No.1 failed to take any action. Hence this writ petition seeking a declaration that the alleged inaction on the part of respondent No.1 is arbitrary and illegal.

Having heard the learned counsel for petitioner and the learned Government Pleader appearing for respondent No.1 and on perusal of the record, I deem it appropriate to dispose of the writ petition granting leave and liberty to the petitioner to work out the remedy as available under Section 154(3) of Criminal Procedure Code by sending the substance of the complaint in writing to the concerned Superintendent of Police, in which event, the same shall be considered by the concerned Superintendent of Police in accordance with law. No costs.

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G.ROHINI, J

Date: 26.10.2004

NOTE:

C.C. IN (2) DAYS

B/O

DA

To

1 The Station House Officer, Tappachabutra P.S., Hyderabad.

2 Two CCs to the G.P. for Home, High Court Buildings,

Hyderabad (OUT).

3 Two CD copies.